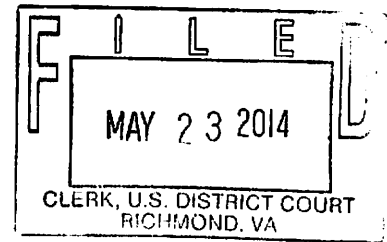


**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**



**DERRICK A. MILBOURNE, on behalf of
Himself and All Others Similarly Situated,**

Plaintiff,

v.

Civil Action No: 3:12cv861

JRK RESIDENTIAL AMERICA, LLC.,

Defendant.

AGREED CLASS ACTION SCHEDULING ORDER

Pursuant to Fed. R. Civ. P. 26(f), as well as the pre-trial conference held before Hon. Robert E. Payne on April 16, 2014, counsel for the parties have conferred to develop a proposed discovery plan. The parties have agreed upon the discovery plan set forth herein.

This matter is pled as a Class Action. The parties will conduct discovery in two phases.

Phase I will include all evidence reasonably necessary for the parties to litigate the issues of class certification and standing.

Phase I discovery shall be completed by June 24, 2014. The deadline for the parties to file motion for summary judgment following Phase I shall be July 1, 2014. The deadline for Plaintiff to move for class certification following Phase I shall be July 1, 2014. Opposition and Reply briefs to such motions shall be filed within the time frames set forth herein.

Upon completion of Phase I and disposition of such motions, and to the extent that the case is not thereby dismissed, the Court shall set a supplemental Scheduling

Conference. Phase II discovery shall thereafter take place to the extent necessary based upon the Court's rulings on the parties' motions for summary judgment and the Plaintiff's motion for class certification. Issues reserved for Phase II include any other issues in the case, including any discovery regarding Plaintiff's actual damages, whether Defendant violated the FCRA with respect to unnamed class members and any factual issues bearing on whether Defendant's alleged violations of the FCRA were "willful." From the Plaintiff's perspective, these "willfulness" discovery issues include resources devoted to FCRA compliance efforts, audits undertaken to confirm compliance, and class-wide factual discovery, although Defendant may not necessarily agree with the relevance or discoverability of these issues.

The following deadlines shall apply to Phase I of this case:

Activity:	Deadline:
Deadline for filing amended pleadings	May 30, 2014
Deadline for Phase I expert disclosures by Plaintiffs.	May 24, 2014
Deadline for Phase I expert disclosures by Defendants.	June 6, 2014
Deadline for rebuttal expert disclosures.	June 12, 2014
Close of Phase I discovery.	June 24, 2014
Deadline for parties to file motions for Summary Judgment based on Phase I discovery.	July 1, 2014

Deadline for Plaintiff to file a motion seeking class certification.	July 1, 2014
Deadline for Defendant's Reply to Plaintiff's Motion for Class Certification	July 25, 2014
Deadline for Plaintiff's Reply in Support of Plaintiff's Class Certification	August 4, 2014
Hearing on Plaintiff's Motion for Class Certification <i>+ Summary Judgment</i>	August 20, 2014 9:30 a.m.

Enter this 23rd day of May, 2014

/s/ REP
Hon. Robert E. Payne
Senior United States District Judge